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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,530	06/14/2002	Tomoe Kawane	020274	3022
23850	7590	07/01/2005	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006			ARMSTRONG, ANGELA A	
			ART UNIT	PAPER NUMBER
			2654	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/069,530		KAWANE ET AL.	
	Examiner		Art Unit	
	Angela A. Armstrong		2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>05/30/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

2. As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4, 11-12, 14 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2500761.

4. Regarding claims 1, 11, and 21, the partial translation of JP 2500761 discloses a speech recognition device (20), comprising: input means (11) for inputting a digital sound signal (page 1, lines 12-16); a sound level estimation means for estimating the sound level of a sound period based on the digital sound signal in a part of said sound period input by said input means (page 1, lines 15-16); sound level adjusting means (19) for adjusting the level of the digital sound signal in said sound period input by said input means based on the sound level estimation means and a preset target Level (page 1, line 17 to page 2, line 10; page 2, line 14 to page 3, line 9; page 3, line 13 to page 6, line 21); and speech recognition means (20) for performing speech recognition based on the digital sound signal adjusted by said sound level adjusting means (page 3, line 13 to page 6, line 21).

Regarding claims 2 and 12, JP 2500761 discloses said sound level estimation means estimates the sound level of said sound period based on the digital sound signal in a prescribed time period at the beginning of said sound period input by said input means (page 3, line 13 to page 6, line 21).

Regarding claims 4 and 14, JP 2500761 discloses the sound level adjusting means amplifies or attenuates the level of the digital sound signal in said sound period input by said input means by an amplification factor determined by the ratio between said preset target level and the sound level estimated by said sound level estimation means (page 3, line 13 to page 6, line 21).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 10, 13, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2500761 in view of JP 126093 (Okamoto).

6. Regarding claims 3, 10, 13, and 20, JP 2500761 (partial translation) does not teach a processor to inactivate the sound level adjusting when the sound level is within a predetermined range. However, JP 126093 (partial translation) determines if a sound signal level is within a prescribed range to obtain a high recognition rate. It would have been obvious to one of ordinary skill at the time of the invention to modify the system providing in JP2500761 to determines if a sound signal level is within a prescribed range, as suggested by Okamoto, for the purpose of obtaining a high recognition rate and thereby improve system performance, as suggested by Okamoto (see Abstract).

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7. Claims 5-7 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2500761 in view of JP 60-16200.

8. Regarding claims 5-7 and 15-17, JP 2500761 (partial translation) does not teach the system utilizes a delay circuit or storing circuit. However, JP60-16200 (partial translation) provides for a voice input is delayed in response to the output timing of a gain control signal, for the purpose of achieving high fidelity, a high recognition rate and reliable automatic gain control. It would have been obvious to one of ordinary skill at the time of the invention to modify the JP 2500761 recognition system to provide for a delay or storing circuit for delaying a sound signal in response to a gain signal for the purpose of achieving reliable automatic gain control, as suggested by JP60-16200.

9. Claims 8-9 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2500761 in view of JP2975808 (Koichi).

10. Regarding claims 8-9 and 18-19, JP 2975808 (partial translation) does not teach the system utilizes a speech recognition feedback to the adjusting circuit. However, JP2975808 (partial translation) to Koichi provides for a learning effect of the system such that the recognition result is feedback into the system for the purpose of improving the precision of the recognizer. It would have been obvious to one of ordinary skill at the time of the invention to modify the JP2500761 recognition system to provide a recognition result feedback path, as suggested by Koichi, for the purpose of improving the precision and performance of the recognizer, as also suggested by Koichi.

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Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takizawa et al (US Patent No. 5,361,324)

Kandel et al (US Patent No. 6,353,671)

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 571-272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angela A Armstrong
Examiner
Art Unit 2654

AAA
June 26, 2005

Angela A. Armstrong